

**Purchasing Committee Meeting
January 5, 2009**

A meeting of the Purchasing Committee of the Board of Finance was held on Monday, January 05, 2009. The following were in attendance: Committee members Ron Messier, Chair; Roald Erling; Paul Tonon. Commissioner Peterson was absent. Also present was Roger Rousseau, Purchasing Agent.

The meeting was called to order at 8:00 a.m.

1. Review and discuss indemnification contract language for leasing and take any action as necessary.

Roger explained the indemnification contract language is with CCA Financial for the leasing of computers. The City had the same situation three years ago with the same company and the Board of Finance waived the indemnification language with CCA. The State of Connecticut is now leasing their computers and has accepted this contract language with CCA Financial. Commissioner Messier stated the Committee had brainstormed ideas in the past of what could happen to the computers. CCA is exempting themselves from problems with the equipment, since they have no control over either the selection or the manufacture of the equipment involved in the lease.

The indemnification contract language reads:

“Lessor shall indemnify, defend, and hold harmless the City and its officers and employees from and against any and all (1) claims arising directly in connection with the contract, but excluding any claim associated with the leased equipment including but not limited to its performance and operation; and (2) liabilities, damages, losses, costs and expenses, including but not limited to attorneys and other professionals fees, arising directly in connection with claims, acts or the contract. Lessor shall use counsel reasonably acceptable to the City in carrying out its obligations under this section. Lessor's obligations under this section to indemnify, defend and hold harmless against claims includes claims concerning confidentiality of any part of or all of the bid or any records, any intellectual property rights, other proprietary rights of any person or entity, copyrighted or uncopyrighted compositions, secret processes, patented or unpatented inventions, articles or appliances furnished or used in the performance of the contract.”

Commissioner Erling made a motion seconded by Commissioner Tonon and it was unanimously voted:

“To accept contract language as approved by CCA Financial and present to the full Board of Finance”

2. Discussion of procurement card policies and procedures and take any action as necessary.

Commissioner Messier thinks the policy is well written with a few cosmetic issues which can be fixed. Commissioner Peterson had previously asked Roger if the limit was \$5,000 per card or total of the two cards. The Committee discussed and agreed it would be \$5,000 per card. Roger explained the use of the card for unique situations and emergencies. The card will not physically leave the Purchasing Office or the Comptrollers Office.

Commissioner Erling made a motion seconded by Commissioner Tonon and it was unanimously voted:

“To accept the Procurement Card Policy as presented.”

3. Adjournment.

Per Order of the Chairman



Ronald Messier